

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal Number 1:05CR133
	)	
HARJANTO KOMALA,	)	
a.k.a. Herry Komala,	)	
	)	
Defendant	)	

STATEMENT OF FACTS

The United States and the defendant, Harjanto Komala, agree that had this matter proceeded to trial, the United States would have proven beyond a reasonable doubt the facts outlined below.

Introduction

1. The defendant is a native and citizen of Indonesia and makes no claim to United States citizenship. The defendant last entered the United States on March 17, 2005, at which time he was paroled into the country pending prosecution and removal proceedings.

The Chinese Indonesian American Society

2. The Chinese Indonesian American Society (hereinafter CIAS) is a cultural society located in Fairfax Station, Virginia. CIAS is located in the same building that serves as the residence of Hans Gouw. Although ostensibly a cultural organization with limited membership, the society actually operates as an immigration brokerage serving Indonesians who seek to immigrate to or remain in the United States. CIAS has been located within the Eastern District of Virginia since at least December 1, 1999.

### Hans Gouw

3. Hans Gouw, also known as Liong Hoat Gouw and Hady Gandasaputra, is a 54-year-old Indonesian citizen. Gouw was born in Indonesia in 1951, but was granted asylum in this country in 1999. Prior to his arrest by federal authorities on November 22, 2004, Gouw was the owner and director of CIAS.

### Conspiracy to Recruit Juvenile Females to Engage in a Commercial Sex Act

4. From at least in and around April 2004 and continuing through on or about November 18, 2004, the defendant agreed with Hans Gouw and others to recruit young Indonesian women to come to the United States to engage in nude striptease and prostitution. Under the agreement, the women would leave their native Indonesia, travel to the United States, and work for Gouw and others as “entertainers.” As “entertainers,” the young women would be expected to perform fully nude striptease in “gentlemen’s” clubs in Northern Virginia and elsewhere along the East Coast. In addition, the women would be encouraged to engage in prostitution with male customers willing to pay for sexual services. In return for their work in the United States, the women were to receive a portion of the wages and payments they generated.

5. In furtherance of the agreement, the defendant and his fellow conspirators sought to recruit young women between the ages of 16 and 23 who were pretty and buxom. Women of these ages and characteristics were targeted because such women were preferred by the intended male clientele. It was further part of the agreement that the women would be required to work for Hans Gouw for at least one year. To ensure that the women honored a one year commitment, it was also part of the agreement that Hans Gouw would hold the women’s passports upon arrival in the United States and that the women would live in a house controlled by Gouw and under guard.

6. Under the agreement, Hans Gouw was the intended employer and principal in the United States. The defendant's responsibilities were (1) to identify and recruit potential candidates in Indonesia for Gouw's review, and (2) to secure the necessary passports and visas for those women Gouw ultimately selected. In return for these services, the defendant expected Gouw to pay him a fee for each woman who was successfully recruited and sent to the United States.

7. The defendant and Gouw formed and refined the agreement primarily by means of mailings, electronic mail, and telephonic communications between the defendant in Indonesia and Gouw in Fairfax, Virginia, a location in the Eastern District of Virginia.

8. To meet his obligations under the agreement, the defendant, working through others in Indonesia, identified young women between the ages of 15 and 29 to present to Gouw as possible "entertainers." The defendant then sent Gouw the name and photograph of each woman identified and included the woman's height, weight, and age. At least three of the candidates the defendant presented to Gouw were minors: one fifteen years old and two seventeen years old.

9. On at least one occasion during the conspiracy, Gouw sent a CIAS associate of his to Indonesia to interview some of the young women the defendant had previously presented to Gouw. With the defendant's assistance, this associate actually interviewed several women in Jakarta to assess their suitability for the nude striptease and prostitution contemplated under the agreement. During the interviews, the associate explained to the women the nature of the work to be performed in the United States and assessed the women's physical beauty.

10. On or about June 25, 2004, Gouw sent the defendant \$2,000 by electronic transfer from Gouw's Wachovia bank account in Burke, Virginia. The transfer was an initial payment to

the defendant so that the defendant could begin to secure passports and visas for women selected by Gouw to come to the United States.

11. The defendant specifically acknowledges that during the conspiracy he knew that he and his fellow conspirators would identify and recruit young women to travel to the United States to engage in nude striptease and prostitution. He further acknowledges that he knew that women under the age of 18 would be recruited and that three such women were in fact identified and presented to Gouw for his consideration. He also acknowledges that he knew the young women would be paid for the striptease and prostitution, and that Gouw and other conspirators would receive a substantial portion of this pay. He also acknowledges that his communications with Gouw, as well as his efforts and those of his fellow conspirators to effect their joint plan, were in and affected interstate and foreign commerce.

#### Uncharged but Stipulated Crime of Immigration Fraud

12. The defendant acknowledges that when he was arrested by federal authorities at Dulles International Airport in Loudoun County, Virginia, on March 17, 2005, he was in the process of committing immigration fraud. In particular, the defendant acknowledges that on that date he aided and abetted an Indonesian woman to attempt to enter the United States through Dulles International Airport by fraudulent means. These means included the use and presentation of an Indonesian passport and a United States tourist visa that did not bear the woman's true name.

13. For purposes of this statement of facts, the defendant further acknowledges that he knew the Indonesian passport and United States visa the woman attempted to use at Dulles International Airport were procured by fraud and false statement in Indonesia, and that he, in fact,

assisted her to procure them in return for a fee. He further acknowledges that the woman sought his assistance because she had previously been removed from the United States under her true name. He further acknowledges that his actions to assist the women to attempt to enter the United States using false documents violated 18 U.S.C. § 1546(a).

#### Conclusion

14. This statement of facts includes those facts necessary to support the plea agreement between the defendant and the government. It does not include each and every fact known to the defendant or the government, and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.

15. The actions of the defendant as recounted above were in all respects knowing and deliberate, and were not committed by mistake, accident, or other innocent reason.

Respectfully submitted,

PAUL J. MCNULTY  
UNITED STATES ATTORNEY

By: \_\_\_\_\_  
John T. Morton  
Assistant United States Attorney

Defendant's Stipulation and Signature

After consulting with my attorney and pursuant to the plea agreement I have entered into this day with the United States, I hereby stipulate that the above statement of facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Date: \_\_\_\_\_

\_\_\_\_\_  
Harjanto Komala  
Defendant

Defense Counsel's Signature

I am Harjanto's Komala's attorney. I have carefully reviewed the above statement of facts with him. To my knowledge, his decision to stipulate to these facts is informed and voluntary.

Date: \_\_\_\_\_

\_\_\_\_\_  
George P. Doss, Jr.  
Counsel to the Defendant